

**Terms Complete**  
**ORDER SUMMARY – Case Number: C-22-3272**

**Name(s):** Anthony Ulysses Miller II

**Order Number:** C-22-3272-22-FO01

**Effective Date:** September 7, 2022

**License Number:** 2154439  
**Or NMLS Identifier [U/L]**

**License Effect:** Application Denied

**Not Apply Until:** N/A

**Not Eligible Until:** N/A

**Prohibition/Ban Until:** N/A

<b>Investigation Costs</b>	\$ N/A		Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Fine</b>	\$ N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Assessment(s)</b>	\$N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Restitution</b>	\$N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Financial Literacy and Education</b>	\$N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
<b>Cost of Prosecution</b>	\$N/A	Due	Paid <input type="checkbox"/> Y <input type="checkbox"/> N	Date
	No. of Victims:			

**Comments:** \_\_\_\_\_

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**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF INVESTIGATING the  
Mortgage Loan Originator License Application  
under the Consumer Loan Act of Washington by:

No.: C-22-3272-22-FO01

ANTHONY ULYSSES MILLER II,  
NMLS # 2154439,

FINAL ORDER

Respondent.

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I. DIRECTOR'S CONSIDERATION

A. Default. This matter has come before the Director of the Department of Financial Institutions of the State of Washington (Director), through his designee, Consumer Services Division Director Lucinda Fazio (Director's designee), pursuant to RCW 34.05.440(1). On March 16, 2022, the Director, through the Director's designee, issued a Statement of Charges and Notice of Intent to Enter an Order to Deny License Application (Statement of Charges) against Anthony Ulysses Miller II (Respondent). A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a cover letter dated March 17, 2022, a Notice of Opportunity to Defend and Opportunity for Hearing, and a blank Application for Adjudicative Hearing for Respondent (collectively, accompanying documents).

On March 18, 2022, the Department served Respondent with the Statement of Charges and accompanying documents by First-Class mail and by Federal Express overnight delivery. The Department received confirmation that the documents sent by Federal Express were delivered on March 21, 2022, to an apartment in Royal Oak, Michigan. On or about March 22, 2022, the Department received a postal verification affirming that the address for the apartment in Royal Oak, Michigan was the current address for the Respondent. On or about April 20, 2022, the United States

1 Postal Service returned the documents sent by First-Class mail to the apartment in Royal Oak,  
2 Michigan to the Department. On or about June 15, 2022, the Department served Respondent with the  
3 Statement of Charges and accompanying documents by First-Class mail and by Federal Express  
4 overnight delivery again to the apartment in Royal Oak, Michigan. On or about June 29, 2022,  
5 Federal Express returned the documents stating that the customer was unavailable at the apartment in  
6 Royal Oak, Michigan. The documents sent by First-Class mail were not returned to the Department  
7 by the United States Postal Service for the apartment in Royal Oak, Michigan.

8 Respondent did not request an adjudicative hearing within twenty calendar days after the  
9 Department served the Notice of Opportunity to Defend and Opportunity for Hearing, as provided for  
10 in WAC 208-08-050(2).

11 B. Record Presented. The record presented to the Director's designee for her review and  
12 for entry of a final decision included the following: Statement of Charges, cover letter dated March  
13 17, 2022, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Application for  
14 Adjudicative Hearing for Respondent, with documentation for service.

15 C. Factual Findings and Grounds for Order. Pursuant to RCW 34.05.440(1), the  
16 Director's designee hereby adopts the Statement of Charges, which is attached hereto.

## 17 II. FINAL ORDER

18 Based upon the foregoing, and the Director's designee having considered the record and being  
19 otherwise fully advised, NOW, THEREFORE:

20 A. IT IS HEREBY ORDERED, That:

21 Respondent Anthony Ulysses Miller II's application for a license to conduct the  
22 business of a mortgage loan originator is denied.  
23

1           B.     Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a  
2 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition  
3 must be filed in the Office of the Director of the Department of Financial Institutions by courier at  
4 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,  
5 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondent. The  
6 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for  
7 Reconsideration a prerequisite for seeking judicial review in this matter.

8           A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the  
9 date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a  
10 written notice specifying the date by which it will act on a petition.

11           C.     Stay of Order. The Director’s designee has determined not to consider a Petition to  
12 Stay the effectiveness of this order. Any such requests should be made in connection with a Petition  
13 for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

14           D.     Judicial Review. Respondent has the right to petition the superior court for judicial  
15 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for  
16 filing a Petition for Judicial Review, see RCW 34.05.510 and sections following.

17           E.     Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial  
18 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service  
19 attached hereto.

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September

DATED this 7th day of ~~August~~, 2022.



STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS

/s/

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Lucinda Fazio, Director  
Division of Consumer Services

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**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF INVESTIGATING the  
Loan Originator License Application under the  
Consumer Loan Act of Washington by:  
  
ANTHONY ULYSSES MILLER II,  
  
Respondent.

No.: C-22-3272-22-SC01

STATEMENT OF CHARGES and  
NOTICE OF INTENT TO ENTER AN  
ORDER TO DENY LICENSE  
APPLICATION and RECOVER COSTS AND  
EXPENSES

**INTRODUCTION**

Pursuant to RCW 31.04.093 and RCW 31.04.165, the Director of the Department of Financial Institutions of the State of Washington (Director) is responsible for the administration of chapter 31.04 RCW, the Consumer Loan Act (Act). After having conducted an investigation pursuant to RCW 31.04.247, and based upon the facts available as of the date of this Statement of Charges, the Director, through his designee, Division of Consumer Services Director Lucinda Fazio, institutes this proceeding and finds as follows:

**I. FACTUAL ALLEGATIONS**

**1.1 Anthony Ulysses Miller II (Respondent)** submitted an application to the Department of Financial Institutions of the State of Washington (Department) for a mortgage loan originator license under Amerisave Mortgage Company, a consumer loan company licensed under the Act. The license application was received by the Department, through the Nationwide Mortgage Licensing System and Registry, on or about November 11, 2021.

**1.2 Prior Criminal Conviction.** On or about January 31, 2019, in Macomb County 41A District Court, Shelby Township, Michigan, Respondent pled guilty to one count of a misdemeanor [REDACTED]. This prior criminal conviction is the equivalent of at least a gross misdemeanor under Washington law.

1 **1.3 Financial Responsibility, Character, and General Fitness.** On or about November 11,  
2 2021, Respondent submitted his application through the Nationwide Mortgage Licensing System and  
3 Registry, for the Department to review. Under the disclosure question section there is a subsection for  
4 criminal disclosures. Question H(1) asks, “Have you ever been convicted of or pled guilty or nolo  
5 contendere ("no contest") in a domestic, foreign, or military court to committing or conspiring to  
6 commit a misdemeanor involving: (i) financial services or a financial services-related business, (ii)  
7 fraud, (iii) false statements or omissions, (iv) theft or wrongful taking of property, (v) bribery, (vi)  
8 perjury, (vii) forgery, (viii) counterfeiting, or (ix) extortion?” and the Respondent answered, “No” to  
9 that question. The Respondent failed to disclose his conviction described in the previous section at  
10 that time to question H(1). Respondent had previous state filings in the Nationwide Mortgage  
11 Licensing System and Registry on or about October 25, 2021, and November 4, 2021. In each of  
12 those filings, the Respondent also failed to disclose the conviction.

## 13 **II. GROUNDS FOR ENTRY OF ORDER**

14 **2.1 Requirement of No Prior Criminal Convictions.** Based on the Factual Allegations set forth  
15 in Section I above, Respondent fails to meet the requirements of RCW 31.04.247(1)(d) and WAC  
16 208-620-710(4)(c) by having been convicted of, or having pled guilty or nolo contendere to, a  
17 misdemeanor under Michigan law involving dishonesty or financial misconduct that is the equivalent  
18 of at least a gross misdemeanor involving dishonesty or financial misconduct under Washington law,  
19 during the seven-year period preceding the date of the application for licensing and registration.

20 **2.2 Requirement to Demonstrate Financial Responsibility, Character, and General Fitness.**  
21 Based on the Factual Allegations set forth in Section I above, Respondent fails to meet the  
22 requirements of RCW 31.04.247(1)(e) by failing to demonstrate financial responsibility, character,  
23 and general fitness such as to command the confidence of the community and to warrant a  
24

1 determination that the mortgage loan originator will operate honestly, fairly, and efficiently within  
2 the purposes of the Act.

### 3 **III. AUTHORITY TO IMPOSE SANCTIONS**

4 **3.1 Authority to Deny Application for Mortgage Loan Originator License.** Pursuant to RCW  
5 31.04.093(2), the Director may deny applications for licenses. Pursuant to RCW 31.04.247(2), the  
6 Director shall not issue a mortgage loan originator license if the director finds the conditions of RCW  
7 31.04.247 have not been met.

8 **3.2 Authority to Recover Costs and Expenses.** Pursuant to RCW 31.04.205(2), the Director  
9 may recover the state's costs and expenses for prosecuting violations of the Act.

### 10 **IV. NOTICE OF INTENT TO ENTER ORDER**

11 Respondent's violations of the provisions of chapter 31.04 RCW and chapter 208-620 WAC,  
12 as set forth in the above Factual Allegations, Grounds for Entry of Order, and Authority to Impose  
13 Sanctions, constitute a basis for the entry of an Order under RCW 31.04.093, RCW 31.04.165, RCW  
14 31.04.205, and RCW 31.04.247. Therefore, it is the Director's intention to ORDER that:

15 **4.1** Respondent Anthony Ulysses Miller II's application for a mortgage loan originator  
16 license be denied.

17 **4.2** Respondent Anthony Ulysses Miller II pay the Department's costs and expenses for  
18 prosecuting violations of the Act in an amount to be determined at hearing or by  
19 declaration with supporting documentation in event of default by Respondent.

### 20 **V. AUTHORITY AND PROCEDURE**

21 This Statement of Charges and Notice of Intent to Enter an Order to Deny License  
22 Application (Statement of Charges) is issued pursuant to the provisions of RCW 31.04.093, RCW  
23 31.04.165, RCW 31.04.202, and RCW 31.04.205, and is subject to the provisions of chapter 34.05  
24 RCW, the Administrative Procedure Act. Respondent may make a written request for a hearing as set



1 forth in the NOTICE OF OPPORTUNITY FOR ADJUDICATIVE HEARING AND TO DEFEND  
2 accompanying this Statement of Charges.

3 Dated this 16th day of March, 2022.



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5 \_\_\_\_\_ /s/  
6 LUCINDA FAZIO, Director  
7 Division of Consumer Services  
8 Department of Financial Institutions

8 Presented by:

9  
10 \_\_\_\_\_ /s/  
11 MEGAN GUTHRIE  
12 Financial Legal Examiner

13 \_\_\_\_\_ /s/  
14 BARBARA PENTTILA  
15 Financial Legal Examiner Supervisor

15 Approved by:

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17 \_\_\_\_\_ /s/  
18 JACK McCLELLAN  
19 Enforcement Chief